



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/480,883	01/10/2000	SCOTT T. ALLAN	A-65188-1/TO	4877
30636	7590	12/23/2004	EXAMINER	
FAY KAPLUN & MARCIN, LLP 150 BROADWAY, SUITE 702 NEW YORK, NY 10038			JASMIN, LYNDA C	
		ART UNIT	PAPER NUMBER	
		3627		

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/480,883	ALLAN ET AL. <i>M</i>
	<b>Examiner</b>	<b>Art Unit</b>
	Lynda Jasmin	3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 13 October 2004.

2a)  This action is FINAL.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 38-57 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 38-57 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/12/2004

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 13, 2004 has been entered. New claims 38-57 have been acknowledged.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 38-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Houvener et al. (6,397,194 B1), in view of Ballard (5,910,988)

Houvener discloses a point-of-sale terminal (via point of system 4) that generates a transaction record according to a transaction with a user (via document 8 such as a retail receipt), and a transaction database that receives and stores the transaction record from the point-of-sale terminal over a network (transaction data record 22, over a communication link 12). Houvener further discloses the point-of-sale terminal is one of an electronic signature capture device, a card reader, a check reader, a scanner, a

printer and a biometric reader (via scanner 6). The transaction record includes at least one of a price, a product a service, a payment method and an electronically captured signature (col. 6, line 60-67). The transaction database stores a plurality of transaction records associated with a plurality of users (via a database of transaction data records 22). The transaction database transmits information (such as transaction record) to the point-of-sale terminal for display at the point-of-sale terminal (col.10, lines 59-63).

Houvener fails to explicitly disclose the transaction database restricts access by the user to the transaction records corresponding to the user, and allowing the user to search the transaction records relevant to the user.

Ballard discloses the concept of storing and retrieving general consumer transaction from a central database (DataTreasuryTM). The system DataTreasuryTM retrieves customers who have authorization to access relevant information, which include credit card merchants, credit card companies, credit information companies and consumers. User can also request information from a relational database using a query language. Ballard further discloses compiling the transaction records relevant to the user into a bill, wherein the bill is a summary of the transaction records (via retrieving customer billing data from employee time documents and to generate customer-billing statements from the billing data). Ballard further discloses providing remote access by a plurality of users to the transaction database with access restriction corresponding role defined for each user (via step 814). The role is one of a guest, a manager and an administrator (via controller 310).

From this teaching of Ballard, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modify the storing of receipt in Houvener to include the managing and retrieving of retail transaction document in order to facilitate consumer's portfolio management.

As per claims 46, 47 and 49, although the Houvener and Ballard combination does not explicitly disclose the role of a guest restricted to viewing the transaction records relevant only to the user or sending a user via email. However it would and well know in art to allow partial sharing of shop listing or transaction based on a viewing privilege of specific user, and to transmit communication via email. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the Houvener and Ballard combination with sharing online access of specific data information such is would facilitate sharing of transaction with a friend and/or a financial advisor.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fernando et al discloses the concept of electronically capture signature and storing transaction records. Deaton et al. discloses using consumer historical record to generate consumer incentives. Barnett et al. discloses the concept of viewing a database of coupons data, based on user's privilege.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynda Jasmin whose telephone number is (703) 305-

Art Unit: 3627

0465. The examiner can normally be reached on Monday- Friday (8:00-5:30) alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lynda Jasmin  
Primary Examiner  
Art Unit 3627

lj